

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	
- v. -	:	CONSENT PRELIMINARY ORDER
	:	OF FORFEITURE/
OMAR JAATA,	:	<u>MONEY JUDGMENT</u>
	:	
Defendant.	:	18 Cr. 162 (PGG)
	:	
- - - - -	x	

WHEREAS, on or about February 26, 2018, OMAR JAATA (the "defendant"), was charged in an Indictment, 18 Cr. 162 (PGG) (the "Indictment"), with conspiracy to commit wire fraud and bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One); mail fraud, in violation of Title 18, United States Code, Section 1341 (Count Two); wire fraud, in violation of Title 18, United States Code, Section 1343 (Count Three); theft of public funds, in violation of Title 18, United States Code, Section 641 (Count Four); and aggravated identity theft, in violation of Title 18, United States Code, Section 1028A (Count Five).

WHEREAS, the Indictment included a forfeiture allegation as to Count Two of the Indictment, seeking, *inter alia*, forfeiture to the United States, pursuant to Title 18, United States, Section 982(a)(2)(A), of any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of the offense charged in Count Two of the Indictment;

WHEREAS, on or about November 29, 2018, the defendant pled guilty to Count Two of the Indictment, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Count Two of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), a sum of money equal to \$95,000.00 in United States currency, representing proceeds traceable to the commission of the offense charged in Count Two of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Two of the Indictment;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$95,000.00 in United States currency representing the amount of proceeds traceable to the offense charged in Count Two of the Indictment that the defendant personally obtained; and

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the proceeds traceable to the offense charged in Count Two of the Indictment that the defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, Acting United States Attorney, Assistant United States Attorneys, Lara Pomerantz and Jason A. Richman, of counsel, and the defendant, and his counsel, Benjamin Silverman, Esq., that:

1. As a result of the offense charged in Count Two of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$95,000.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count Two of the Indictment that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, OMAR JAATA, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza,

New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney

Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

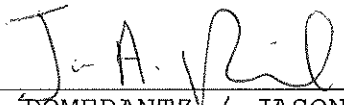
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9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By:



LARA POMERANTZ / JASON A. RICHMAN
Assistant United States Attorneys
One St. Andrew's Plaza
New York, New York 10007
(212) 637-2627

2/23/22
DATE

OMAR JAATA


By:



OMAR JAATA

02-22-2022
DATE

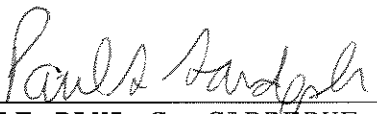
By:



BENJAMIN SILVERMAN, ESQ.
Attorney for Defendant
224 WEST 30TH STREET, SUITE 302
NEW YORK, NEW YORK 10001

2/22/22
DATE

SO ORDERED:



HONORABLE PAUL G. GARDEPHE
UNITED STATES DISTRICT JUDGE

Feb. 24, 2022
DATE